



2/17/2010

From: Gafachi, Inc.  
2604 Elmwood Ave #279  
Rochester, NY 14618

Telephone: 800-571-5711  
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**VIA ECFS TRANSMISSION:**

Attn: Marlene H. Dortch  
To: Office of the Secretary  
Federal Communications Commission  
445 12th Street, SW  
Suite TW-A325  
Washington, DC 20554

*Re: Gafachi, Inc.  
Annual 47 C.F.R. §64.2009(e) Certification  
EB Docket No. 06-36*

Dear Ms. Dortch:

Enclosed herewith for filing with the Federal Communications Commission in the above-referenced docket is the Annual §64,2009(e) CPNI Certification and supporting statement of Gafachi, Inc.

To the extent you have any questions concerning this filing, please contact the undersigned.

Sincerely,

Adam F. Glynn  
Chief Executive Officer  
Gafachi, Inc.

With copies via electronic email:

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554  
[Marlene.dortch@fcc.gov](mailto:Marlene.dortch@fcc.gov)

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### **Statement of CPNI Procedures and Compliance for Gafachi, Inc.**

The Company is a VoIP provider. As explained below, Gafachi, Inc put into place processes to safeguard our customers' CPNI from improper use or disclosure by employees; and to protect against and address attempts by third parties to gain unauthorized access to customer CPNI, in accordance with 47 C.F.R. subpart U.

We do not use or permit access to CPNI to market any telecommunications outside of a customer's category of services with Gafachi, Inc., except for one time use via contacting the customer at their phone number of record and, at that time, orally give them notice of their rights consistent with 47 CFR Sec. 64.2008. All present and future marketing campaigns shall be instituted only upon approval by management and such campaigns shall not be approved unless they comply with the rules on handling of CPNI.

We have trained all employees and personnel as to when they are and are not authorized to use CPNI and have instituted a disciplinary process for unauthorized use of CPNI. We do not have any retail locations and therefore do not disclose CPNI in any such location.

We have instituted customer authentication methods to ensure adequate protection of customers' CPNI. These protections only allow CPNI disclosure in accordance with the following methods:

- o Disclosure of CPNI information in response to a customer providing a pre-established password;
- o Disclosure of requested CPNI by contacting the customer at the customer's phone number of record; and
- o Disclosure of CPNI through password authenticated on-line customer management interface.

Customers are notified via e-mail whenever their password is modified, a phone number of record is changed, or their e-mail of record is changed.

It is our policy to notify law enforcement in the event of a breach of customers' CPNI and have established a protocol under which the appropriate Law Enforcement Agency ("LEA") are notified of any unauthorized access to a customer's CPNI. That policy provides that customers are not notified of any unauthorized access before the time period set forth in the FCC's rules, or, if applicable, when so authorized by law enforcement. We also have a policy of maintaining all records of any discovered CPNI breaches for a minimum of two (2) years.

We did not take any actions against data brokers in 2009.

Annual 47 C.F.R. S: 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2009

Date filed: February 17, 2010

Name of company covered by this certification: Gafachi, Inc.

Form 499 Filer ID: 827177

Name of signatory: Adam Glynn

Title of signatory: Chief Executive Officer

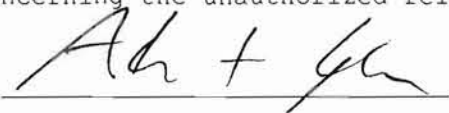
I, Adam Glynn, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R.S: 64.2001 et seq.

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 et seq. of the Commission's rules.

The company has not taken any actions against data brokers in the past year. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed

A handwritten signature in black ink, appearing to read "Ad + G", is written over a horizontal line.